

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 221, FOOD AND DRUGS ACT.

ADULTERATION AND MISBRANDING OF CAMPHOR.

In accordance with the provisions of section 4 of the Food and Drugs Act of June 30, 1906, and of regulation 6 of the rules and regulations for the enforcement of the act, notice is given that on the 7th day of December, 1909, in the District Court of the United States for the District of Connecticut, in a prosecution by the United States against the Arthur Chemical Company, a corporation of New Haven, Conn., for violation of section 2 of the aforesaid act in shipping and delivering for shipment from Connecticut to New York a quantity of adulterated and misbranded camphor, the said Arthur Chemical Company entered a plea of guilty and the court imposed upon it a fine of \$100.

The facts in the case were as follows:

On May 21, 1909, an inspector of the Department of Agriculture purchased from Henry Voelker, Troy, N. Y., a sample of a product labeled (on carton)—“Arthur's Spirits Camphor, U. S. P. Guaranteed under the Pure Food and Drugs Act, June 30th, 1906. Serial No. 19389. Price 10¢. From the 5¢ and 10¢ Drug Cabinet Co., Chemists, New Haven, Conn.” (On bottle)—“Spirits Camphor. Contains Alcohol 86%. Dose: From five drops to a teaspoonful, first added to sugar and then mixed with water. Price 10 Cents.”

The sample was analyzed in the Bureau of Chemistry of the United States Department of Agriculture and it was found to be 14 per cent. below the standard of strength prescribed for spirits camphor by the United States Pharmacopoeia. It was therefore adulterated within the meaning of section 7 of the act in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, or purity determined therein and did not have its own correct standard of strength, quality, or purity declared upon

the package; and was misbranded within the meaning of section 8 of the act in that it was labeled "Spirits Camphor," which statement was misleading in that it would lead the purchaser to believe that he was purchasing an article of standard strength, whereas, as shown by the analysis, the article was 14 per cent. below the standard, and further in that the percentage of alcohol declared on the bottle was incorrect.

It appearing from the aforesaid analysis that the article was adulterated and misbranded, the Secretary of Agriculture gave notice to Henry Voelker, the dealer from whom the sample was purchased, and also to The Five and Ten Cent Drug Cabinet Company, the manufacturer and shipper. It appeared that The Arthur Chemical Company, which was formerly named and known as The Five and Ten Cent Drug Cabinet Company, was the party solely responsible for the adulteration and misbranding of the article, and it failing to show any fault or error in the result of the aforesaid analysis, and it having been determined that the article was adulterated and misbranded, on November 4, 1909, the said Secretary reported the facts and evidence to the Attorney General, by whom they were referred to the United States attorney for the District of Connecticut, who filed an information against the Arthur Chemical Company, with the result hereinbefore stated.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *February 23, 1910.*

